



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/171,043	
	Filing Date	10/09/1998	
	First Named Inventor	Konnersman, Paul M.	
	Art Unit	2124	
	Examiner Name	Khatri, Anil	
Total Number of Pages in This Submission	14	Attorney Docket Number	--none--

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> <del>Power of Attorney, Revocation</del> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input checked="" type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): (1) Amendment Under 37 CFR 1.312(a): Claim of Benefit of earlier applications, and (2) Applicant's Summary of Interview that occurred August 10, 2004.
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm Name		
Signature		
Printed name	Paul M. Konnersman	
Date	November 17, 2004	Reg. No.

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	
Typed or printed name	Paul M. Konnersman
Date	11/18/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



App. No. 09/171,043

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Paul M. Konnersman

Art Unit: 2124

Appl. No.: 09/171,043

Examiner: Anil Khatri

Filed: October 9, 1998

For: **COMPUTER BASED SYSTEM FOR WORK PROCESSES THAT CONSIST OF  
INTERDEPENDENT DECISIONS INVOLVING ONE OR MORE PARTICIPANTS**

\*\*\*\*\*

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop: Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

11/13/2004  
Date

  
Paul M. Konnersman

\*\*\*\*\*

Mail Stop: ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 17, 2004

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Sir

The following Comments on the Statement for Reasons for Allowance is requested to be placed in the file wrapper.

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

While applicant believes that the claims are allowable, applicant disagrees with the Statement of Reasons for Allowance (the Statement) in the following respects.

1. The Statement makes an inaccurate and unwarranted representation regarding what is claimed in stating that, “. . . the claimed subject matter of improving managerial workflow process . . .,” and that, “. . . the claimed invention improves workflow process . . .” These statements may be read as importing an interpretation into the claims that is imprecise, inaccurate and places an unwarranted interpretation upon the claims, not properly taking into account the applicant’s claimed invention as reflected in the specification and the applicant’s responses to the Examiner’s office actions. The Statement’s reference simply to “improving” is an inaccurate and unwarranted limitation. Further, the Statement’s reference to specific forms of improvement is still less warranted. The specification indicates explicitly, not only that improvement is but one of the objectives of the invention, but that reliability and speed are possible but not necessary ways of measuring improvement.

2. The Statement makes another inaccurate and unwarranted representation regarding what is claimed in stating that, “. . . the claimed subject matter of improving managerial workflow process . . .,” and that, “. . . the claimed invention improves workflow process . . .” These statements might be read as importing an additional interpretation into the claim that is imprecise, inaccurate in yet another respect and place yet another unwarranted interpretation upon the claims that does not properly take into account the applicant’s claimed invention as reflected in the specification and the applicant’s responses to the Examiner’s office actions. While the claimed invention is described as having some characteristics in common with workflow software, the specification explicitly differentiates it from “workflow.” Nor is the

term *workflow* used in the allowed claims. Further, the specification explicitly asserts the inadequacy of workflow software with respect to the claimed subject matter. Therefore, the Statement's identification of the claimed invention with "workflow" is both inaccurate and unwarranted.

3. The meaning of, "... incorporating concrete decision classes in the flow," in the Statement is unclear at best and may place yet another unwarranted interpretation upon the claims. The term *flow* occurs nowhere in the claims and is only used in the specification with reference to so-called "data flow diagrams" of the OMT notation utilized by the specification. It is unclear whether the Statement's reference is to one of these flows, and if so to which one, and in any case, how either the specification or claims warrants the association of "concrete decision classes" with any flow.

4. The Statement misrepresents the claims in stating that ,

"... claims 2, 7, 17, 21, 30 and 46 are and 13 are directed to generating concrete decision classes by customizing them, providing network whose nodes are abstract in decision situation, representing choices are modeled by concrete decision classes and by instances of those classes, constructing a computer based process model for each and more work process and providing at least two decision roles support participation for one or more in decision making process, ..."

This representation does not pertain to all of the allowed claims. Consequently, the Statement could be incorrectly construed to imply that each and every allowed claim requires all of the features recited by the Examiner. Each and every claim does not require all of the features recited by the Examiner. This is evident in the claims themselves and in the Examiners' Office Actions and the Applicant's replies thereto. The Statement attributes five features to claims 2, 17, 21, 30 and 46 which are at best an unwarranted amalgamation of inaccurate paraphrases of portions of the language of several different claims. To the extent that any one of these

attributions is warranted, it is warranted only for some, but not all, of the claims with which the Statement associates it.

5. While applicant believes that the claims are allowable, applicant does not acquiesce that patentability resides in each feature cited in the Statement, nor that each cited feature is required for patentability, because the stated reasons for allowance are not exhaustive of valid reasons for allowance. Applicant notes that the Manual of Patent Examining Procedure provides that,

“The statement [of reasons for allowance] is not intended to necessarily state all the reasons for allowance or all the details why claims are allowed and should not be written to specifically or impliedly state that all the reasons for allowance are set forth. [MPEP, 1302.14]”

6. Applicant does not acquiesce to any inference or presumption drawn from the Statement. In particular, applicant does not acquiesce to any inference or presumption that the allowed dependent claims stand or fall with the claims from which they depend, because all of the claims which depend from the allowed claims recite further limitations, in addition to those recited by the claim from which they depend. It will also be appreciated that it is not necessary to meet any or all of the identified advantages or objectives of the invention disclosed in the specification in order to fall within the scope of any claims, since the invention is defined by the claims and since inherent and/or unforeseen advantages of the present invention may exist even though they may not have been explicitly discussed in the specification.

Respectfully submitted,



Paul M. Konnersman  
Applicant, *Pro Se*

272 Ocean Avenue  
Marblehead, MA 01945-3730  
781-639-0616  
konnersman@comcast.net